

## Center for *Children's* Advocacy

*Fighting for the legal rights of Connecticut's most vulnerable children*

### TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY TO THE JUDICIARY COMMITTEE IN SUPPORT OF HB 5642 - AN ACT CONCERNING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY OVERSIGHT COUNCIL (JJPOC)

March 23, 2016

Senator Coleman, Representative Tong, and Members of the Judiciary Committee:

My name is Martha Stone and I am the Executive Director of the Center for Children's Advocacy, a non-profit legal organization affiliated with University of Connecticut School of Law dedicated to protecting the rights of our state's most vulnerable youth. Through our various projects, we provide individual and systemic representation to youth at risk of and in direct contact with the juvenile justice system. We run four Disproportionate Minority Contact Committees in Hartford, Bridgeport, New Haven and Waterbury with stakeholders from CSSD, DCF, the police and school systems to address racial disparities in the juvenile justice system. I am also an appointed member of the JJPOC and have been part of the Education, Deincarceration and Diversion Subcommittees of this legislative committee.



#### Board of Directors

Douglas Colosky, Chair  
Natalia Xiomara Chieffo, V. Chair  
Antonia Thompson, Secretary  
William Rodriguez, Treasurer  
Mario Borelli  
Rudolph Brooks  
Wanda Brown-Claitty  
David Cooney  
Timothy Diamond  
Kathryn Emmett (ex officio)  
LaShanda B. Harvey  
Robin Keller  
Michelle A. Mullins  
Daniel Shopick  
Martha Stone (ex officio)  
Eric Sussman

#### Advisory Board

Miriam Berkman  
John Brittain  
Brett Dignam  
L. Phillip Guzman  
Wesley Horton  
Elizabeth Morgan  
Eileen Silverstein  
Preston Tisdale  
Stanley A. Twardy, Jr.  
Stephen Wizner

#### Executive Director

Martha Stone, JD

65 Elizabeth Street  
Hartford, CT 06105  
Phone 860-570-5327  
Fax 860-570-5256

[kidscounsel.org](http://kidscounsel.org)  
[speakupteens.org](http://speakupteens.org)

Our office was commissioned by the Tow Youth Justice Institute to write the Education Report for the JJPOC, entitled Students First: Ensuring Excellence and Opportunity for Students in Connecticut's Juvenile Justice System.<sup>1</sup> The recommendations which form the basis for the educational provisions in this bill emanate from this Report. **So while the Center supports this bill in its entirety, I will focus my remarks specifically on the most significant education provisions contained herein.**

#### Chronic Absenteeism

Chronic absenteeism (when a student is absent for 10% or more of total school days) is a primary gateway to involvement in the juvenile justice system. Truancy as well as exclusionary discipline practices, such as out of school suspensions and expulsions, contribute to academic disengagement and push a student who needs the crucial support out into the community often unsupervised and even more at risk of arrest and system involvement. **Data shows that almost 70% of juvenile justice involved students were chronically absent in at least one grade and 33 % were chronically absent in more than one grade. In addition, chronically absent students were admitted to detention twice as often as students who were not chronically absent.** Research also shows there is a strong association between absenteeism and recidivism.

**Sections 11(b), 12,** addresses the role of the SDE to evaluate truancy models and develop a plan for local districts with a disproportionately high rate of truancy to implement such models.

<sup>1</sup> <http://www.kidscounsel.org/wp-content/uploads/2013/11/CCA-JJPOC-Rpt-Jan-12-16.pdf>

**Section 14** requires SDE to develop a plan for school based diversion initiatives in those schools that need them most.

### **Expulsion Provisions**

It is well established that children who are expelled from school are **more likely to have juvenile court involvement, and less likely to graduate and receive their high school diplomas.** Here in the state of Connecticut, expelled children are only entitled to an alternative education opportunity in certain circumstances. Given the lack of standards the current law sets forth, that education may be as little as **10 hours of tutoring in limited subjects in a public library by an uncertified teacher.** Many children go without any education at all during their period of exclusion. Thus, Connecticut's expelled children are highly likely to end up dropping out or be juvenile justice involved or both.

**Section 16 of H. B. 5642** serves to modify the current expulsion statute to make important strides towards minimizing the negative impacts current law has on Connecticut's children and their future. Namely, this section of the bill:

- Ensures that any expelled child under age 16 shall be offered an alternative educational opportunity, equivalent to alternative education as defined by CGSA 10-74j, the alternative education statute, and also provided with an individualized learning plan during their expulsion period; and;
- Ensures that any child between the ages of 16 and 18 being expelled for the first time shall also be offered such an alternative educational opportunity with an individualized learning plan, regardless of expulsion offense, among other things; and,
- Ensures advocacy resources for children and families who are without means to secure such resources.

These changes will ensure that almost all children who are expelled<sup>2</sup> receive an education in accordance with the minimum standards set forth in Connecticut's education statutes and also have the benefit of an individualized learning plan.

### **Educational Supports and Re-entry Services**

Sadly, students in the juvenile justice system exhibit tremendously poor academic performance. **Many are three grade levels behind. Students at CJTS are even further behind, but have been socially promoted year after year without properly being identified as special education or being given the academic supports they need to improve their educational performance.**

---

<sup>2</sup> While these changes are commendable, the Center for Children's Advocacy does recommend further changes. We would recommend that the entitlements in this bill be extended to ensure that **all children**, regardless of age or disciplinary history, receive an alternative education and an individualized learning plan that is more clearly defined and structured around their academic and behavioral needs.

Students diverted from court, on probation, in detention or committed to CJTS or other congregate care facilities often represent the highest-need students in Connecticut with the most complex educational trajectories. There is no robust menu of academic supports to ensure their success. Even if they receive some educational assistance when incarcerated, upon release, they often encounter significant challenges in re-enrollment and gaining credit from their local schools, and maintaining grade level once they return.

**Section 22** provides that probation, JRBs, Child and Youth Family Support Center have resources for necessary evaluations and supports (tutors, educational surrogates, ed. coaches), ensures child and family input into education plans, and provides for local boards of education to appoint liaisons for this population of vulnerable youth in the same manner as homeless youth are provided for.

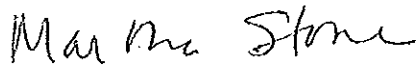
**Section 23** provides for transition teams to reintegrate children returning from residential facilities to ensure their educational needs are met

**Section 24** ensures that as these students bounce from detention to residential back to their home schools, there are common tools used to assess their strengths and weaknesses and the state agencies collaborate with the local school systems for professional development targeted to juvenile justice students.

**Section 25** ensures that DCF designates coordinators to monitor and enforce compliance of state entitlements to promote academic performance of these juvenile justice students.

**Section 27** provides for an electronic system for transfer of records to ensure timely access of records and sharing of records with appropriate parental consent.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Martha Stone".

Martha Stone  
Executive Director

# Martin Luther King Jr. School

25 Ridgefield Street  
Hartford, CT 06105-1835  
860-695-3980

## Trimester 3 Report Card

- Grade 7 - Student

Term	Period	Course	Teacher	Tr1	Tr2	Tr3	Final	Comment	Absent	Tardy
14-15	E1	6th Gr Literacy		F	D	F	D	Capable of better work.	19	1
14-15	E1	6th Gr Literacy		F	D	F	D	Capable of better work.	6	0
14-15	E2	6th Gr Mathematics		D+	C	F	D		16	0
14-15	E2	6th Gr Mathematics		D+	C	F	D		3	1
14-15	E3	6th Gr Social Studies		F	F	F	F	Organization needs improvement. Homework needs more effort. Effort needs improvement. Attitude needs improvement.	12	0
14-15	E3	6th Gr Social Studies		F	F	F	F	Organization needs improvement. Homework needs more effort. Effort needs improvement. Attitude needs improvement.	5	0
14-15	E4	6th Gr Science		F	F	F	F	Behavior has greatly improved in the last two weeks. Is not working up to potential.	12	0
14-15	E4	6th Gr Science		F	F	F	F	Behavior has greatly improved in the last two weeks. Is not working up to potential.	3	0
14-15	E5	6th Gr Art		C	C	D	D+		12	0
14-15	E5	Grade 8 - Math 180		F	F	F	F		0	0
14-15	E5	6th Gr Art		C	C	D	D+		3	0
14-15	E6	6th Gr Music		D	C	C+	C	Attitude needs improvement. Class participation needs improvement.	12	0
14-15	E6	6th Gr Climate and Culture		B+					2	0
14-15	E6	6th Gr Music		--D	C	C+	C	Attitude needs improvement. Class participation needs improvement.	3	0
14-15	E7	6th Gr Physical Education		D	D+	C	D+		12	0
14-15	E7	6th Gr Physical Education		D	D+	C	D+		3	0
14-15	HR	Homeroom Gr 6							19	3